

07-22-06

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EXPRESS MAIL No. EV 346 795 800 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael Musarella et al.

Confirmation No.: 7571

Application No.: 10/079,848

Group Art Unit: 3727

Filing Date: February 22, 2002

Examiner: Gary E. Elkins

For: BELT MOUNTED TOOL HOLDER

Attorney Docket No.: 87185-3300

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the notice dated July 17, 2006, applicant notes that the status identifier for claims 18-22 and 42 is "(Withdrawn)" so that the requirements of the notice are not understood. A copy of the amendment is attached. It is submitted that the amendment is in correct form for examination. It is also requested that this notice not be used to calculate any patent term deductions since it is incorrect.

Thus, for the reasons previously provided, the entire application is now believed to be in condition for allowance, early notice of which would be appreciated.

Respectfully submitted,

7-18-06

Date

Allan A. Fanucci

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AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed August 25, 2005 and the very late notice dated April 19, 2006, please enter the following amendments and comments into the file of this application.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 12 of this document.

No fee is believed to be due for the submission of this response. Please charge any required fees to Winston & Strawn LLP deposit account no 50-1814.